

**IN THE COURT OF APPEALS**  
**FIRST APPELLATE DISTRICT OF OHIO**  
**HAMILTON COUNTY, OHIO**

WBCMT, LLC,	:	APPEAL NO. C-160422
	:	TRIAL NO. A-1304126
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
BAR J RANCH-KEMPER POINTE,	:	
LLC, et al.,	:	
	:	
Defendants,	:	
	:	
and	:	
	:	
THOMPSON NATIONAL	:	
PROPERTIES, LLC,	:	
	:	
TNPPM KEMPER POINTE, LLC,	:	
	:	
and	:	
	:	
ANTHONY W. THOMPSON,	:	
	:	
Defendants-Appellants.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

This is an appeal from the trial court’s entry of summary judgment in favor of plaintiff-appellee WBCMT, LLC, (“WBCMT”). In it, the trial court found that WBCMT was entitled to punitive damages, but it did not determine the amount of the award. The court also entered judgment in favor of WBCMT as to “any other amounts whatsoever payable under the Loan Documents [at issue in the lawsuit] or applicable law.” The court did not determine this amount, either. Finally, the entry

contemplated an award of attorney fees. The amount of the fees awarded was not determined.

Because the trial court's order did not determine the action and prevent a judgment, it is not a final order. *See* R.C. 2505.02(B)(1); *State ex rel. White v. Cuyahoga Metro. Hous. Auth.*, 79 Ohio St.3d 543, 546, 684 N.E.2d 72 (1997). At oral argument, WBCMT admitted to the lack of finality below. It is well-settled that our appellate jurisdiction is limited to review of trial courts' final orders. Ohio Constitution, Article IV, Section 3(B)(2); *Lycan v. Cleveland*, 146 Ohio St.3d 29, 2016-Ohio-422, 51 N.E.3d 593, ¶ 21. We therefore dismiss this appeal.

Appeal dismissed.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**MOCK, P.J., CUNNINGHAM and MILLER, JJ.**

To the clerk:

Enter upon the journal of the court on March 17, 2017  
per order of the court \_\_\_\_\_.

Presiding Judge